

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:08CV00207 ERW
)	
FRANK L. ZERJAV, SR., et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter comes before the Court on Defendant's Motion to Compel Responses to Discovery and to Strike Plaintiff's Objections as to Privilege [doc. #151]; United States' Motion for Sanctions and Civil Contempt [doc. #158]; United States' Motion to Compel Interrogatory Answers [doc. #160]; Defendant's Motion to Compel [doc. #164]; and United States' Motion to Strike Footnote One from Tiger Zerjav's Reply to United States' Response in Opposition to Tiger Zerjav's Motion to Compel [doc. #169]. The Court held a hearing on these pending Motions on Wednesday, October 7, 2009, and both of the Parties presented oral arguments.

At the hearing, the Court explained, on the record, its expectations for the Parties' compliance with the rules of discovery. Specifically in regard to United States' Motion to Compel Interrogatory Answers [doc. #160], the Court finds as follows:

1. Defendant Tiger Zerjav's objections to interrogatory numbers 1 and 2 are held in abeyance;
2. the Government's objection to Defendant's response to interrogatory number 5 is overruled, as the Government indicated that Defendant's answer is now sufficient;

3. the Government's objection to Defendant's response to interrogatory number 6 is sustained, and Defendant is ordered to amend its answer to the interrogatory;
4. Defendant's objections to interrogatory numbers 7, 8, 9, and 10 (the alleged contention interrogatories) are overruled, and Defendant is ordered to provide an answer to each of these interrogatories;
5. Defendant's objection to interrogatory number 11 is sustained; and
6. Defendant's objections to interrogatory numbers 29, 30, and 31 are overruled, and Defendant is ordered to provide an answer to each of these interrogatories.

The ordered answers to the interrogatories specified above should be provided to the Government within 30 days of the date of this Order.

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to Compel Responses to Discovery and to Strike Plaintiff's Objections as to Privilege [doc. #151] is **HELD IN ABEYANCE**.

IT IS FURTHER ORDERED that United States' Motion for Sanctions and Civil Contempt [doc. #158] is **HELD IN ABEYANCE**.

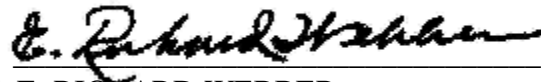
IT IS FURTHER ORDERED that United States' Motion to Compel Interrogatory Answers [doc. #160] is **GRANTED, in part**, and **DENIED, in part**, as set forth above.

IT IS FURTHER ORDERED that Defendant's Motion to Compel [doc. #164] is **HELD IN ABEYANCE**.

IT IS FURTHER ORDERED that United States' Motion to Strike Footnote One from Tiger Zerjav's Reply to United States' Response in Opposition to Tiger Zerjav's Motion to

Compel [doc. #169] is **GRANTED**. The Court will not consider footnote one, on page two of document number 168.

Dated this 8th Day of October, 2009.

A handwritten signature in black ink, appearing to read "E. Richard Webber", written over a horizontal line.

E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE